



Docket No: GI5288B  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: LAVALLIE AND RACIE  
Application No.: 08/949,904      Group Art No.: 1642  
Filed: October 15, 1997      Examiner: Ungar  
For: HUMAN SDF-5 PROTEIN AND COMPOSITIONS  
Confirmation No.: 8744  
Customer Number: 25291

Commissioner for Patents  
Washington, DC 20231

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APR 25 2003

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INFORMATION DISCLOSURE STATEMENT

1. Preliminary Statements

In accordance with 37 CFR 1.97 and 1.98, Applicants submit herewith patents, publications, or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56. This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) the information is material to the examination of this application; (iii) additional information material to the examination of this application does not exist; (iv) the information, protocols, results and the like reported by third parties are accurate or enabling; or (v) the information constitutes prior art to the subject invention.

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 239490795 US addressed to the Commissioner for Patents, Washington, DC 20231.

4/21/03

Date

*Elizabeth Ruzich*  
Elizabeth Ruzich

## 2. Identification of Time of Filing

## This Information Disclosure Statement

- a. ☐ is filed within three months of the filing date of the application.
- b. ☐ is filed before the mailing date of a first Office Action on the merits.
- c. ☐ is filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- d. ☐ is filed after the period specified in 2(a), 2(b) or 2(c) above, but before the mailing date of a final action under 37 CFR 1.311. This statement includes a certification under 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p).
- e. ☒ is filed after the mailing date of a final action or Notice of Allowance but before payment of the issue fee. This statement includes (i) a certification under 37 CFR 1.97(e), and (ii) the fee set forth in 37 CFR 1.17(p).

3. ☒ Certification under 37 CFR 1.97(e) and 1.704(d)  
The undersigned attorney certifies

- a. ☐ that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- b. ☒ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.
- c. ☐ The undersigned attorney certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign application patent office in a counterpart foreign application and was not received by any individual designated in 37 CFR 1.56(c) more than thirty (30) days prior to the filing of the statement.

☒ Newly Cited Information

A legible copy of the patents, publications or other information cited on the attached form PTO 1449 is enclosed, except that no copy of a pending U.S. application is enclosed.

☐ Previously Cited Information

No copy of the patents, publications or other information cited on the attached form PTO-1449 is enclosed because it has been previously cited by or submitted to the Office in a prior application which is relied upon for an earlier filing date under 35 USC 120.

Prior application is Serial Number \_\_\_\_\_, filed on \_\_\_\_\_ of \_\_\_\_\_ for \_\_\_\_\_.

- ☐ Concise Explanation  
Documents cited above which are not in the English Language
- a. ☐ have been explained in the specification.
- b. ☐ have an abstract (or other concise explanation) in English enclosed or if readily available a translation into English of the document is enclosed.

Form PTO-1449 is enclosed in duplicate.

- ☒ Fees
- ☒ Fee for filing under 37 CFR 1.97(c) or (d) Fee: \$180.00

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Gavin Bogle

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SUBSTITUTE for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	08/949,904
				Filing Date	October 15, 1997
				First Named Inventor	LAVALLIE
				Group Art Unit	1642
				Examiner Name	Ungar
				Attorney Docket Number	G15288B

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number (If known)	Kind Code (If Known)			
	1.	6,433,155	B1	UMANSKY and HOVSEP		In electronic form
	2.	2002/0165350	A1	HONJO et al.	11-07-2002	In electronic form

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (If Known)				
	3.	EP	0 879 887	A1	Smithkline Beecham Corp.	11-25-1998	In electronic form	<input type="checkbox"/>
	4.	PCT	WO 98/39446	A2	Human Genome Sciences	09-11-1998	In electronic form	<input type="checkbox"/>
	5.	PCT	WO 99/46281	A2	Genentech, Inc.	09-16-1999	In electronic form	<input type="checkbox"/>
	6.	PCT	WO 99/55858	A2	Metagen Gesellschaft für Genomforschung MBH	11-04-1999	In electronic form	<input type="checkbox"/>
	7.	PCT	WO 00/53756	A2	Genentech, Inc.	09-14-2000	In electronic form	<input type="checkbox"/>
	8.	PCT	WO 01/22920	A2	Human Genome Sciences	04-05-2001	In electronic form	<input type="checkbox"/>
	9.	PCT	WO 02/00690	A2	Genentech, Inc.	01-03-2002	In electronic form	<input type="checkbox"/>
	10.	PCT	WO 02/08284	A2	Genentech, Inc.	01-31-2002	In electronic form	<input type="checkbox"/>
	11.	PCT	WO 02/46225	A2	Applied Research Systems	06-13-2002	In electronic form	<input type="checkbox"/>

### OTHER PRIOR ART — NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	12	MELKONYAN, H.S. et al., SARPS: a Family of Secreted Apoptosis-Related Proteins, PNAS, December 1997, 13536-13641, National Academy of Sciences	<input type="checkbox"/>
	✓ 13	SHIROZU, M. et al., Characterization of Novel Secreted and Membrane Proteins Isolated by the Signal Sequence Trap Method, Genomics, 273-280, November 1996, 37, Academic Press	<input type="checkbox"/>

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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.